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EMPLOYEES' LONG TERM DISABILITY
BENEFIT PLAN and LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL CREMIN,

Plaintiff,

v.

McKESSON CORPORATION
EMPLOYEES' LONG TERM
DISABILITY BENEFIT PLAN;

Defendant.

CASE NO. C 07-1302-CW

**DECLARATION OF PAULA MCGEE IN
SUPPORT OF DEFENDANT'S AND REAL
PARTY IN INTEREST'S CROSS MOTION
FOR JUDGMENT**

Date: June 19, 2008
Time: 2:00 p.m.
Judge: Honorable Claudia Wilken

LIBERTY LIFE ASSURANCE
COMPANY OF BOSTON

Real Party In Interest.

I, Paula McGee, declare:

1. I am the Litigation Manager of Disability Claims for Liberty Life Assurance Company of Boston ("Liberty Life"), the real party in interest in the above-captioned action. I am authorized to and hereby make this declaration on behalf of Liberty Life. The statements herein are of my own personal knowledge and if called as a witness could competently testify hereto.

2. Prior to January 1, 2000, the McKesson HBOC, Inc. Long Term Disability Plan (the "Plan") was self-insured by McKesson HBOC, Inc. and the third party claims administrator of the Plan was Preferred Works. A true and correct copy of the Plan is attached hereto as Exhibit A.

3. On January 1, 2000, Liberty Life issued a Group Disability Income Policy to McKesson HBOC, Inc. insuring the Plan with respect to claims incurred after January 1, 2000.

4. Effective January 1, 2000, Liberty Life also entered into a Reserve Buy Out Agreement ("Agreement") with McKesson HBOC, Inc., the Plan and McKesson HBOC, Inc. Employees' Long Term Disability Plan Trust under which Liberty Life agreed to assume the claims administration and payment obligations for designated Claimants. Michael Cremin was one of the designated claimants under the Agreement. Attached hereto as Exhibit B is a true and correct copy of the RBO Agreement. Because of the privacy rights of the third parties', attachment A to the Agreement, identifying the names of the various individual claimants, is not included.

5. I am familiar with and I have reviewed the claims file regarding plaintiff Michael Cremin's claim for disability benefits under the Plan.

6. Pursuant to the Agreement, Liberty Life took over the claim's administration and payment obligations for plaintiff's claim on January 1, 2000. The claim file maintained by Preferred Works was transferred to Liberty Life. A new claim file was created and all documents received from Preferred Works were placed in the claim file.

7. All documents relating to plaintiff's claim for disability benefits were placed in a claim file maintained by Liberty Life in the normal course of business. All documents received by Liberty Life in connection with plaintiff's claim for disability benefits were added to the claim file at the time that they were received. Similarly, copies of any and all documents or letters sent by Liberty Life relating to plaintiff's claim were added to the claim file, at the time they were sent, and maintained in the normal course of business. Any and all handwritten or typewritten notes of internal or external correspondence were also added to the claim file, as they were generated, and maintained by Liberty Life in the normal course of business. All documents

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1 received or generated by Liberty Life during the appeal process were also added to the claim file
2 and maintained by Liberty Life in the normal course of business. The claim file is also comprised
3 of electronic claim notes by claims handlers and nurses in the Liberty Life's Managed Disability
4 Services ("MDS") unit. Attached hereto as Exhibit C [manually filed] is a true and complete
5 copy of the claim file, including all electronic notes, relating to plaintiff's claim.

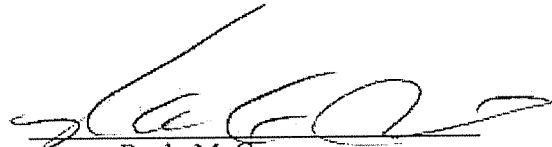
6 8. The private information contained in the claim file (e.g., Social Security numbers,
7 birth dates [month and day of plaintiff], driver's license numbers, financial account numbers,
8 names of minors) has been redacted in compliance with federal, state and local rules.

9 9. Attached hereto as Exhibit D [manually filed] is a true and correct copy of the
10 surveillance DVD for March 28, 29 and 30, 2002.

11 10. Attached hereto as Exhibit E [manually filed] is a true and correct copy of the
12 surveillance DVD for November 6 and 9, 2002.

13 I declare under penalty of perjury under the laws of the United States that the foregoing is
14 true and correct.

15 Executed this 8th day of May, 2008 at Tampa, Florida.

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17
18 
Paula McGee